

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, DECEMBER 14, 1999
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Linda Steinman
Bob Workman

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 7, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Steinman moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated December 7, 1999. On call Campbell, Heier, Workman and Steinman voted aye. Hudkins absent from voting. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 22 additions and deductions to the tax assessment rolls per Exhibit "A". (19992469) (19992468)

MOTION: Workman moved and Heier seconded approval. On call Heier, Campbell, Steinman and Workman voted aye. Hudkins absent from voting. Motion carried.

- 3) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**

**Horizons Community Church
Madonna Rehabilitation Hospital
Nebraska Wesleyan University**

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Madonna Rehabilitation Hospital and Nebraska Wesleyan University and for Horizons Community Church subject to the vehicle(s) being titled and registered to the applicant. On call Steinman, Workman, Heier and Campbell voted aye. Hudkins absent from voting. Motion carried.

By direction of the Chair, the Board of Equalization meeting was adjourned.

Bruce Medcalf
County Clerk

AGENDA
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(Hudkins entered the chambers.)

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 7, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Steinman moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated December 7, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, December 14, 1999.**

MOTION: Heier moved and Workman seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **PUBLIC HEARINGS:**

- A. **Vacation of a portion of a County road located on Hackberry Lane in Hillcrest Heights between Anthony Lane and East Hillcrest Drive in Lancaster County, Nebraska. (19991740) (19991976) (19992180)**

Campbell opened the public hearing and asked if anyone wished to testify in favor of the application.

No one appeared.

In response to a statement made by Steinman, Mike DeKalb, Planning Department, stated there would not be much of a problem in going from Anthony Lane to Hillcrest Drive, however, they must keep the future in mind. Once a road is vacated it's usually permanent. He stated he is concerned about giving up the road and noted that the portion of Hackberry Lane to be vacated is the only road/right-of-way which exists in a mile section. DeKalb stated the road is located within a growth area of the City.

Campbell asked if anyone else wished to testify.

No one appeared and the hearing was closed.

The Chair noted that action will be taken on Tuesday, December 21, 1999.

B. County Special Permit 172, requested by Nextel Communications, Inc., for authority to construct and operate a 296 foot guyed communications tower with antennas, on property generally located south of West Holdrege Street and west of Northwest 126th Street in Lancaster County, Nebraska. (19992309) (19992455)

Campbell opened the public hearing and asked if anyone wished to testify in favor of the Special Permit.

The Clerk administered the oath to Ken Weber.

Ken Weber, representative for Nextel Communications, Inc., appeared in favor.

Steinman asked if the construction of a tower located in Seward County had begun.

Weber responded that he didn't know if construction had begun, however, there currently is no client.

Weber explained that Nextel is currently constructing the Nebraska-Iowa segment of their communication network. He said their business objective is to provide interstate cross-country coverage primarily targeted toward the trucking industry.

Campbell noted that the condition which the County Board requested be added to the previous Nextel application (County Special Permit 173) regarding abandonment is included in County Special Permit 172.

Campbell closed the hearing.

MOTION: Hudkins moved and Heier seconded approval of Resolution 99-2455 in connection with County Special Permit 172. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

4) **NEW BUSINESS:**

- M. A resolution regarding the issuance of Industrial Development Revenue Bonds, in an amount not to exceed \$8,000,000 for the acquisition, construction, installation, and completion of land and depreciable property for a manufacturing project for Garner Industries, Inc. (19992447)**

Lauren Wismer, Cline Williams law firm, appeared and indicated his firm is acting as bond counsel regarding the transaction. He explained that the purpose of the resolution is to put a statement of official intent into the record to permit Garner Industries to finance expenses which they are incurring and it will ultimately finance with a bond issue.

He noted the resolution was not the approval of a bond issue, however, they will appear before the County Board at a later date regarding the terms and conditions of the bonds.

Phil Mullen, President and Chief Operating Officer for Garner Industries, Inc., appeared and gave a brief history regarding the manufacturing company. He noted they do plastic injection molding, tool and die and machining work. Mullen also stated they make a line of level indicators and bulk tape erase which is sold worldwide. They are currently located in two facilities and their intent is to combine into one new facility.

Workman inquired about the location of the new facility.

Mullen stated they hope to build near 98th Street and Highway 6.

MOTION: Steinman moved and Hudkins seconded approval for an amount not to exceed \$8,000,000. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

- A. A grant contract with the Lincoln-Lancaster Mediation Center to provide victim/offender mediation for juvenile Pre-trial Diversion offenders and staff training. The County will pay quarterly over the term of the contract from October 1, 1999 to September 30, 2000. The total payment is \$25,000. (19992457)**

MOTION: Steinman moved and Hudkins seconded approval. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

- B. A grant contract with Cedars Youth Services to provide a full-time diversion officer and a case manager for \$73,125. The County will make quarterly payments for the contract term beginning August 1, 1999 and ending July 31, 2000. (19992446)**

MOTION: Heier moved and Workman seconded approval. On call Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- C. A contract with Olsson and Associates to provide engineering and surveying services for the new Lancaster County Detention Center project, beginning September, 1999 to December, 2000. The County will pay \$15,950 for these services and will also pay for any additional expenses up to \$1,100. (19992467)**

MOTION: Hudkins moved and Steinman seconded approval. On call Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

- D. A contract with Wagey Drug Company to provide pharmacy and related services for the County's General Assistance Program. Prices charged will be in compliance with the Nebraska State Medicaid allowable cost. This is a one year contract with annual renewal options of one year for up to a total of six years. (19992466)**

MOTION: Steinman moved and Heier seconded approval. On call Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

- E. An agreement with the State of Nebraska, Department of Roads for Project BRO-7055(99), Waverly Southwest for which the County will provide staking and other related construction services. The State will reimburse the County 85 percent of actual costs. (The agreement is supplement number two to the original contract executed by the County on November 4, 1997 and supplement number one executed by the County on June 15, 1999.) (19992460)**

MOTION: Steinman moved and Workman seconded approval.

Workman inquired about the location of the project.

Don Thomas, County Engineer, stated that the project is located on East Holdrege near Stevens Creek near 112th Street.

ROLL CALL: Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

- F. An agreement with Lincoln Airport Authority to lease a T-Hangar for the Sheriff's Office, beginning January 1, 2000 and ending December 31, 2000. The County will pay \$1,346.40 for the one year lease. (19992461)**

MOTION: Hudkins moved and Steinman seconded approval. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- G. An addendum to the County's life insurance agreement with ITT Hartford extending the present group life insurance policy from September 1, 1999 through January 1, 2002. (19992470)**

MOTION: Hudkins moved and Heier seconded approval.

In response to a question asked by Campbell, Bill Kostner, Personnel Department, stated the rates and coverage would remain the same.

ROLL CALL: Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

H. An addendum to an interlocal agreement between Lancaster County and the City of Lincoln relating to the Geographic Information Systems Advisory Committee. (The interlocal agreement was entered into on September 28, 1999 by Resolution 99-1876.) (19992443)

MOTION: Steinman moved and Workman seconded approval. On call Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

I. A resolution concurring with the State of Nebraska, Department of Roads in connection with the award of bid to Elk Horn Construction Company, in the amount of \$482,672.25, for the construction of a Federal-Aid Project; Project STPE-BR-3260(1), Sprague Southwest, County Structure W-11. (19992465)

MOTION: Steinman moved and Heier seconded approval of Resolution 99-2465. On call Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

J. A resolution concurring with the State of Nebraska, Department of Roads in connection with the award of bid to Elk Horn Construction Company, in the amount of \$434,019.25, for the construction of a Federal-Aid Project; Project BRO-7055(99), Waverly Southwest, County Structure K-102. (19992464)

MOTION: Workman moved and Steinman seconded approval of Resolution 99-2464. On call Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

K. A resolution designating certain banks as depositories for Lancaster County funds. (19992462)

MOTION: Steinman moved and Hudkins seconded approval of Resolution 99-2462. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

L. A resolution authorizing the County Clerk to issue payments while the Board of Commissioners is adjourned. (19992463)

MOTION: Steinman moved and Heier seconded approval of Resolution 99-2463.

Dave Johnson, Deputy County Attorney, stated that the resolution included in the Commissioners' packets needs to have language added indicating that the payments be subject to ratification by the County Board.

Both the maker of the motion and the seconder agreed to the inclusion of the additional language.

ROLL CALL: Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- M. A resolution regarding the issuance of Industrial Development Revenue Bonds, in an amount not to exceed \$8,000, for the acquisition, construction, installation, and completion of land and depreciable property for a manufacturing project for Garner Industries, Inc. (19992447)**

This item was previously heard.

- N. Authorization for National Bank of Commerce, as Trustee, to disburse \$407,143.12 from the juvenile detention center bond proceeds to Lancaster County to reimburse the county for the following costs paid towards the new detention facility prior to the delivery of the bonds for expenditures: (19992445)**

- * **Architectural services, in the amount of \$306,182.39**
- * **Needs Assessment and Review of Options, in the amount of \$93,135.73**
- * **Soil survey, in the amount of \$3,925**
- * **Site survey, in the amount of \$3,900**

MOTION: Heier moved and Workman seconded approval. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

- O. Recommendation from the Purchasing Agent and the County Sheriff to award a bid from a State of Nebraska contract to the following:**

- * **H. P. Smith Ford, in the amount of \$20,141 , for one 2000 Crown Victoria Ford Police Interceptor Pursuit vehicle, a parts catalog and service and electrical wiring manuals**
- * **H. P. Smith Ford, in the total amount of \$99,330, for five 2000 Crown Victoria Ford Police Interceptor vehicles (\$19,866 per unit)**
- * **H. P. Smith Ford, in the amount of \$24,139, for a 2000 Ford Explorer 4x4 four door XL trim**
- * **Park Place Chevrolet, in the amount of \$14,854.59, for one 2000 Chevrolet Lumina 4-door sedan police package vehicle**

MOTION: Hudkins moved and Steinman seconded approval.

Bill Jarrett, Chief Deputy County Sheriff, stated the vehicles are priced for less money than what they were last year.

ROLL CALL: Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

P. Amendment Number 2 to the County Retirement Plan changing the vesting schedule for elected officials and department heads, allowing employees to direct investment of the employer contributions, and allowing unclassified employees the option to participate in the plan upon their appointment. (19992474)

MOTION: Steinman moved and Heier seconded approval.

Doug Cyr, Deputy County Attorney, stated the following changes have been made:

- * Allowing unclassified employees to immediately participate in the pension plan rather than waiting six months to one year
- * Allowing employees to direct the employer contributions
- * Provision for full and immediate vesting upon participation in the pension plan by departments heads and elected officials

Cyr also suggested that February 1, 2000 be the date the amendment takes effect.

Steinman amended her motion to include an effective date of February 1, 2000 and the seconder agreed.

ROLL CALL: Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

Q. Termination of payroll deductions for County employees to Pre-Paid Legal Services, Inc. and notice to Pre-Paid Legal Services of the termination, effective January 30, 2000. (19992472)

MOTION: Steinman moved and Heier seconded approval. On call Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

R. Letter to County employees, using payroll deductions for Pre-Paid Legal Services, notifying them of the termination of those deductions. Termination takes effect January 30, 2000. (19992473)

MOTION: Heier moved and Hudkins seconded approval. On call Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

- S. Request for a refund of real estate taxes from Ray C. Deaton, in the approximate of \$60 for 1997 and, in the approximate amount of \$50 for 1998. (19992437)**

Campbell reported that the County Assessor recommended approval.

MOTION: Steinman moved and Heier seconded approval. On call Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

- T. Appointment of the following individuals to the Lincoln-Lancaster Women's Commission: (19992444)**

<u>Name</u>	<u>Expiration of Term</u>
Marla Payant (to fulfill an unexpired term)	March 1, 2002
Melba Cope	January 1, 2003
Paige Roberts	January 1, 2003
Lori Warner	January 1, 2003
Mary Lee Johns	January 1, 2003
Stephanie Ortiz-Cidlik	January 1, 2003

MOTION: Steinman moved and Heier seconded approval. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- 5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and place on file:

- 1. County Clerk's Monthly Report (19992439)**
- 2. Records and Information Management's Monthly Report (19992438)**

MOTION: Hudkins moved and Heier seconded approval of the Consent Items. On call Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

- 6) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded adjournment of the Board of Commissioners meeting. On call Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

Bruce Medcalf
County Clerk